IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 4148 OF 2005
IN
CRIMINAL APPEAL NO. 610 OF 2005

Arvind alias Baban Ishwara Mali .. Applicant

Vs.

The State of Maharashtra .. Respondent

Mr. Sudatta Patil for the applicant.
Mr. K.V. Saste, APP for State.

CORAM : B. H. MARLAPALLE &
SMT. R.S. DALVI,JJ.

Date : February 01, 2006.

P.C.:

1. This an application for bail during the pendency of Criminal Appeal No.610 of 2005 challenging the order of conviction and sentence for the offence punishable under Section 302 of IPC.

2. We have heard the learned counsel for the applicant, perused the depositions of the witnesses including those three witnesses who turned hostile. We have also gone through the reasoning set out by the trial court in support of the order of conviction and sentence based on circumstantial evidence.

3. We are satisfied that there is no case for releasing the applicant on bail by suspending the order of sentence under Section 389 of Cr.P.C. Hence the application is rejected.

(Smt.R.S. Dalvi,J.) **(B.H. Marlapalle, J.)**